

SENATE BILL 1878
By Herron

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 50, relative to driver licenses for individuals eighteen years of age or younger.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-50-312(a), is amended by deleting subdivision (3) in its entirety.

SECTION 2. Tennessee Code Annotated, Section 55-50-312, is amended by adding the following new subsections:

(h) The department is authorized to issue a driver license to an applicant under eighteen (18) years of age in the following circumstances:

(1)(A) If the applicant is sixteen (16) years of age, but not older than seventeen (17) years of age, the applicant shall have possessed a learner's permit for a period of at least three (3) months or shall have been licensed to drive in another state for at least three (3) months.

(B) If the applicant is licensed to drive under subdivision (A), such licensee may not drive between the hours of eleven o'clock p.m. (11:00 p.m.) and six o'clock a.m. (6:00 a.m.) unless the licensee is:

(i) Accompanied by a licensed driver twenty-one (21) years of age or older who is sitting in the front passenger seat; or

(ii) Is driving to or from work.

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(2)(A) If the applicant is seventeen (17) years of age, but not older than eighteen (18) years of age, the applicant shall have possessed a learner's permit for a period of not less than three (3) months or shall have been licensed to drive in another state for at least three (3) months.

(B) If the applicant is licensed to drive under subdivision (A), such licensee may not drive between the hours of one o'clock a.m. (1:00 a.m.) and five o'clock a.m. (5:00 a.m.) unless the licensee is:

(1) Accompanied by a licensed driver twenty-one (21) years of age or older who is sitting in the front passenger seat; or

(2) Is driving to or from work.

(3) A licensee who is seventeen (17) years old and who held a license as a sixteen (16) year old need not be retested but is eligible for the less stringent conditions on the licensee's seventeenth birthday.

(i)(1) If an individual licensed under subsection (h) receives four (4) or more points on such individual's driving record within a twelve (12) month period, such individual's driving privilege shall be automatically restricted to driving to and from and working at such individual's regular place of employment for twelve (12) months or until such individual's eighteenth (18th) birthday, whichever occurs first.

(2) If such individual receives additional points during the restricted period, the restriction period shall be extended ninety (90) days for each additional point.

(3) An individual licensed to drive pursuant to subsection (h) of this section shall have his or her driving privilege restricted if such individual commits sufficient driving violations under the following point system:

(A) Speeding:

- (i) Less than fifteen (15) mph over the speed limit - 3 points
- (ii) More than fifteen (15) mph over the speed limit - 4 points
- (iii) Speeding resulting in a collision - 6 points

(B) Moving violations:

- (i) Moving violation (including driving during restricted hours) - 3 points
- (ii) Moving violation resulting in a collision - 4 points
- (iii) Reckless driving - 4 points
- (iv) Improper lane change - 3 points

SECTION 2. The commissioner is authorized to promulgate rules and regulations to effectuate the purposes of this act. All such rules and regulations shall be promulgated in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act shall take effect upon becoming a law, for the purpose of promulgating rules, the public welfare requiring it, but for all other purposes, it shall take effect January 1, 1998, and shall apply to each person who reaches his or her sixteenth birthday on or after January 1, 1998.